

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TRUSTEES OF THE UNITED HERE NATIONAL  
HEALTH FUND and TRUSTEES OF THE UNITED  
HERE NATIONAL RETIREMENT FUND,

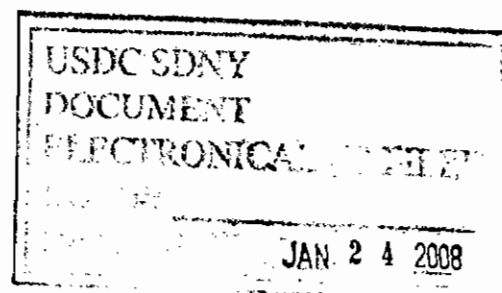
Plaintiffs,

-v-

TOLUCA GARMENT COMPANY,

Defendant.

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No. 07 Civ. 8476 (LTS)

ORDER

This matter having been commenced by the filing of a complaint on October 1, 2007, and the defendant having failed to interpose a timely answer to the complaint or otherwise move in this proceeding, and the plaintiffs having sought permission to move for a default judgment, and the Court having determined that further evidentiary submissions are necessary in order to substantiate the allegations of the complaint as to damages, it is hereby

ORDERED, that the plaintiffs may make a motion for a default judgment; and it is further

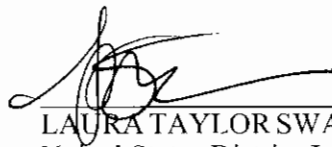
ORDERED, that the plaintiffs' motion shall be accompanied by evidence, in admissible form, of such facts as it would have proffered to meet its burden of proof on its direct case had a trial been held in this action (including but not limited to the referenced collective bargaining agreements and Fund documentation, and evidence of the bases of the delinquency liability calculations); and it is further

ORDERED, that such motion for default judgment shall be served on the defendant and shall be accompanied by copies of the Clerk's Certificate and of proof of service of the summons and complaint and the motion for default judgment as provided by the undersigned's Individual Practices Rules; and it is further

ORDERED, that said motion shall be briefed in accordance with the schedule set forth in Local Civil Rule 6.1 and will be taken on submission unless otherwise directed by the Court; and it is further

ORDERED, that plaintiffs shall serve a copy of this Order on defendant and file proof of such service within ten (10) days from the date hereof.

Dated: New York, New York  
January 24, 2008

  
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LAURA TAYLOR SWAIN  
United States District Judge